

MONDAY, MARCH 13, 1989

NINETEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by David Leach, Hendersonville Church of Christ, Hendersonville, Tennessee.

Representative Randall Stamps led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

MESSAGE FROM THE GOVERNOR

March 10, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 36, 632, 785 and 1437; and House Joint Resolution(s) No(s). 1, 14, 98, 100, 106, 110, 112, 114, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127 and 133, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY

REGULAR CALENDAR

**House Bill No. 0499 -- Probation --** Requires that person must have actually been convicted of prior burglary before ineligible for probation because of subsequent burglary conviction. Amends TCA 40-35-303.

Further consideration of House Bill No. 499, previously considered on March 6, 1989, at which time it was reset to March 13, 1989.

Rep. Naifeh moved that House Bill No. 499 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**\*House Bill No. 0253 -- Board of Regents --** Deletes requirement that one member of board of regents be under 30 years of age. Amends TCA 49-8-201.

Rep. Davidson moved that House Bill No. 253 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	9

Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Armstrong, Bittle, Chiles, Givens, Henry (Roane), Niceley, Scruggs, Shirley, Sipes -- 9.

A motion to reconsider was tabled.

**House Bill No. 0714 -- Game and Fish Laws --** Authorizes hunting and fishing license sales agents to provide a letter of credit as alternative to surety bond. Amends TCA, Title 70, Ch. 2, Pt. 1.

On motion, House Bill No. 714 was made to conform with Senate Bill No. 82.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

On motion, **Senate Bill No. 82**, on same subject, was substituted for House Bill No. 714.

Rep. Bivens moved that **Senate Bill No. 82** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

Representatives voting no were: Henry (Roane) -- 1.

A motion to reconsider was tabled.

**House Bill No. 0623** -- Courts, General Sessions -- Changes time limit for appeal from general sessions court. Amends TCA 16-15-502, 29-18-128, 29-30-217.

On motion, House Bill No. 623 was made to conform with Senate Bill No. 149.

On motion, **Senate Bill No. 149**, on same subject, was substituted for House Bill No. 623.

Rep. Purcell moved that **Senate Bill No. 149** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman,

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

**House Bill No. 0734 -- Claims Commission, Tennessee --** Authorizes division of claims administration to oversee criminal injuries compensation; revises procedures for handling claims and awards. Amends TCA, Title 29, Ch. 13, Pt. 1.

Rep. Purcell moved that House Bill No. 734 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 734 by deleting the following from the amendatory language of SECTION 12:

" , as a condition precedent to recovery"

AND FURTHER AMEND in subsection (c) of SECTION 13 by deleting the word "five" from the amendatory language and substituting instead "ten".

AND FURTHER AMEND in subsection (d) of SECTION 13 by adding the following language immediately following the fifth sentence of such subsection.

"The division is authorized to transfer any claim filed under this chapter to the commission prior to the expiration of the ninety (90) day settlement period."

AND FURTHER AMEND in subsection (f) of SECTION 14 by inserting the following language between the words "acquitted" and "of" in the first sentence of such subsection:

"except as required by Section 29-13-104(1)"

AND FURTHER AMEND by deleting the directory and amendatory language of SECTION 15 in its entirety and substituting instead the following:

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

"SECTION 15. Tennessee Code Annotated, Section 29-13-110(a), is amended by deleting the language of the subsection in its entirety and by substituting instead the following:

"In filing of a claim, the claimant shall provide sufficient medical reports from physicians, surgeons, hospitals and other health care facilities to fully describe the injury suffered, the treatments rendered and the percentage of disability incurred, if disability benefits are requested by the claimant. At the time of final adjudication of the claim, medical reports submitted by the claimant may be returned to the claimant."

AND FURTHER AMEND in SECTION 23 by deleting the date "July 1, 1989" the second time it appears in the section and by substituting instead "January 1, 1990".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that House Bill No. 734, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 0851 -- Traffic Safety -- Revises certain provisions relative to the use of safety belts in certain motor vehicles. Amends TCA, Title 55, Ch. 9, Pt. 6.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

On motion, House Bill No. 851 was made to conform with Senate Bill No. 818.

On motion, Senate Bill No. 818, on same subject, was substituted for House Bill No. 851.

Rep. Kernell moved that Senate Bill No. 818 be passed on third and final consideration.

Rep. Naifeh moved the previous question, which motion failed by the following vote:

Ayes. . . . .	55
Noes. . . . .	38
Present and not voting. . . . .	2

Representatives voting aye were: Armstrong, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Clark, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Duer, Ellis, Givens, Halteman, Hassell, Head, Herron, Hobbs, Holt, Huskey, Jones, R. (Shelby), King, Kisber, Love, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Phillips, Pinion, Purcell, Ridgeway, Shirley, Sipes, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 55.

Representatives voting no were: Anderson, Bell, Bittle, Callicott, Chiles, Coffey, Copeland, Cross, Davis (Knox), Dixon, Gunnels, Harrill, Haun, Hawkins, Henry (Putnam), Henry (Roane), Hillis, Holcomb, Hubbard, Jackson, Jones, U. (Shelby), Kent, McAfee, Miller, Moody, Niceley, Peroulas, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Stamps, Starnes, Ussery, Webb, Wolfe, Wood -- 38.

Representatives present and not voting were: Good, Robinson (Hamilton) -- 2.

Rep. Severance moved the previous question, which motion prevailed.

Thereupon, Rep. Kernell moved that Senate Bill No. 818 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	72
Noes. . . . .	20
Present and not voting. . . . .	5

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Burnett, Byrd, Cain, Callicott, Coffey, Collier, Copeland, Crain, Davidson, Davis (Cocke), Davis (Knox), DePriest, Duer, Ellis, Givens, Good, Halteman, Harrill, Hassell, Haun, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

(Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wood, Yelton, Mr. Speaker Murray -- 72.

Representatives voting no were: Bell, Buck, Chiles, Clark, Cross, Curlee, Dixon, Gunnels, Hawkins, Henry (Putnam), Hillis, Jackson, Miller, Niceley, Purcell, Rhinehart, Robinson (Hamilton), Stallings, Winningham, Wolfe -- 20.

Representatives present and not voting were: Davis (Gibson), DeBerry, Head, Pruitt, Wix -- 5.

A motion to reconsider was tabled.

**House Bill No. 0441 -- County Government --** Increases number of persons who may be appointed to serve on county board of public utilities. Amends TCA, Title 5, Ch. 16.

Rep. Wheeler moved that House Bill No. 441 be reset to the Calendar for Monday, March 27, 1989, which motion prevailed.

**House Bill No. 0514 -- Trademarks and Trade Names --** Corrects use of trademarked name "freon". Amends TCA 39-6-452.

On motion, House Bill No. 514 was made to conform with Senate Bill No. 265.

On motion, Senate Bill No. 265, on same subject, was substituted for House Bill No. 514.

Rep. Purcell moved that Senate Bill No. 265 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion,

MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY

Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

\*House Bill No. 0567 -- Highway Signs -- Designates certain bridge spanning Cumberland River in Celina as "Veterans Memorial Bridge".

Rep. Winningham moved that House Bill No. 567 be passed on third and final consideration.

Rep. Winningham moved to amend as follows:

Amendment No. 1

Amend House Bill No. 567 in Sections 1 and 2 by inserting before the word "Veterans" the words "Clay County".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Winningham moved that House Bill No. 567, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	98
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.



**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**House Bill No. 0372 -- Budget Procedures -- Exempts certain counties from County Budget Law of 1990. Amends TCA 5-22-116.**

On motion, House Bill No. 372 was made to conform with Senate Bill No. 243.

On motion, **Senate Bill No. 243**, on same subject, was substituted for House Bill No. 372.

Rep. Buck moved that Senate Bill No. 243 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**House Bill No. 0373 -- Budget Procedures -- Exempts certain counties from County Budget Law of 1990. Amends TCA, Title 5, Ch. 22. Repeals TCA, Title 5, Ch. 22.**

Rep. Buck moved that House Bill No. 373 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

**House Bill No. 0934 -- Criminal Offenses -- Creates offense of unlawful entry into aircrafts and passenger areas. Amends TCA, Title 39, Ch. 6, Pt. 1.**

Rep. Kent moved that House Bill No. 934 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 0657 -- Motor Vehicles -- Allows for suspension of driver's license under certain circumstances; extends period for**

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

return of funds received for violations. Amends TCA 55-7-206, 55-10-502, 55-50-604.

Rep. Robinson (Davidson) moved that House Bill No. 657 be reset to the Calendar for Wednesday, March 15, 1989, which motion prevailed.

**CONSENT CALENDAR**

**\*House Bill No. 0644** -- Financial Institutions, Dept. of -- Authorizes commissioner to disclose certain financial information to certain agencies under certain circumstances. Amends TCA 45-2-1603.

**\*House Bill No. 0637** -- Parks, Natural Areas Preservation -- Designates Hicks Gap in Prentice Cooper state forest as Class II natural area. Amends TCA 11-14-108.

**House Bill No. 0337** -- County Officers -- Limits number of times during lawsuit that sheriff may charge fee for data processing services. Amends TCA 8-21-901.

**House Bill No. 1041** -- Insurance, Fire and Casualty -- Extends protection to improvement of structures when applying for loan. Amends TCA 56-8-106.

On motion, House Bill No. 1041 was made to conform with Senate Bill No. 719.

On motion, **Senate Bill No. 719**, on same subject, was substituted for House Bill No. 1041.

**\*House Bill No. 0005** -- Economic and Community Development -- Adds Davidson County to those counties authorized to petition for inclusion under Local Neighborhood Model Development Corporation Act. Amends TCA 13-13-104.

On motion, House Bill No. 5 was made to conform with Senate Bill No. 97.

On motion, **Senate Bill No. 97**, on same subject, was substituted for House Bill No. 5.

**\*House Bill No. 0612** -- Local Education Agency -- Permits transfer of sick leave upon written verification by superintendent. Amends TCA 49-5-710.

**House Joint Resolution No. 0144** -- General Assembly, Statement of Intent Or Position -- Expresses views of General Assembly on reopening of Hermitage Mansion.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**House Joint Resolution No. 0145 -- General Assembly, Proclamations -- Proclaims May 1989 as Better Speech and Hearing Month.**

**House Bill No. 1442 -- Rogersville -- Increases term of certain city officers. Amends Chapter 519, Private acts of 1911, as amended.**

**House Bill No. 1443 -- Sharon -- Reduces compensation of mayor and aldermen. Amends Chapter 177, Acts of 1901, as amended.**

**House Bill No. 1444 -- Maury County -- Establishes method of setting salary of county attorney. Repeals Chapter 42, Private Acts of 1973, as amended.**

**House Bill No. 1445 -- Lebanon -- Revises city charter. Amends Chapter 644, Private Acts of 1911, as amended.**

**House Bill No. 1446 -- Union City -- Enacts hotel/motel tax.**

**OBJECTION -- CONSENT CALENDAR**

Objection was filed to the following on the Consent Calendar:

**House Bill No. 644 was objected to by Rep. Chiles.**

Under the rules, House Bill No. 644 was/were placed at the foot of the calendar for Wednesday, March 15, 1989.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway,

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

\*Senate Bill No. 0207 -- Advertising -- Permits variance in placement of outdoor advertising. Amends TCA 54-21-116.

Rep. Head moved that the motion to reconsider Senate Bill No. 207 be lifted from the table, which motion prevailed.

Rep. Head moved that the House reconsider its action in passing Senate Bill No. 207 on third and final consideration, as amended, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Thereupon, Rep. Head moved to repass Senate Bill No. 207 on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**UNFINISHED BUSINESS**

**NOTICE TO ACT ON SENATE AMENDMENT**

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, March 15, 1989.

House Bill No. 16: Rep. Huskey.

**BILL RECALLED**

Pursuant to Rule No. 54, Rep. Duer moved that the Clerk request the return of Senate Bill No. 260 from the Senate, which motion prevailed.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 459: Rep(s). West added as prime sponsor(s).

House Bill No. 657: Rep(s). Peroulas added as prime sponsor(s).

**ANNOUNCEMENTS**

The Clerk announced that, in accordance with TCA 4-36-211, the Tennessee State Racing Commission has submitted its annual report. A copy is on each member's desk and on file in the Clerk's office.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 0146 -- Memorials, Heroism -- Honors 90th Infantry Division Association on 71st reunion. by \*Cross, \*Wheeler.

The Speaker referred House Joint Resolution No. 146 to the Calendar and Rules Committee.

\*House Joint Resolution No. 0147 -- Memorials, Government Officials -- Directs department of human services to propose legislation mandating governmental purchase of handicapped made products. by \*Dixon.

The Speaker referred House Joint Resolution No. 147 to the General Welfare Committee.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**House Joint Resolution No. 0148 -- Memorials, Condolence -- Honors memory of LeRoy D. Clark of Memphis. by \*Jones R, \*King, \*Turner L, \*Jones U, \*DeBerry, \*Dixon.**

The Speaker referred House Joint Resolution No. 148 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

**Senate Joint Resolution No. 0104 -- Memorials, Personal Achievement -- Congratulates Kenneth Nelson Childres, II, on earning Eagle Scout award.**

The Speaker referred Senate Joint Resolution No. 104 to the Calendar and Rules Committee.

**RESOLUTIONS LYING OVER**

**\*Senate Joint Resolution No. 0119 -- Memorials, Government Officials -- Directs Division of Parks and Recreation to assess and recommend improvements for operation of state parks.**

The Speaker referred Senate Joint Resolution No. 119 to the Conservation and Environment Committee.

**SENATE BILLS ON FIRST CONSIDERATION**

**\*Senate Bill No. 0048 -- Jails, Local Lock-ups -- Permits locally housed inmates to perform labor on behalf of charitable or nonprofit corporation. Amends TCA 41-2-148, 41-3-106.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 706.

**\*Senate Bill No. 0084 -- Development Districts -- Removes requirement for submission of annual budget and work program to the chairmen of finance, ways and means committees by development districts. Amends TCA 13-14-106.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 572.

**\*Senate Bill No. 0488 -- Courts -- Enacts "Appellate Court Efficiency Act". Amends TCA, Titles 16, 39, 49, 50, 53, 57, 67--69.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1359.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**\*Senate Bill No. 0557 -- Housing --** Revises membership of municipal housing authority's board of directors. Amends TCA, Title 13, Ch. 20.

Held on the Clerk's desk pending third consideration of companion House Bill No. 295.

**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 1448 -- Bedford County --** Passed second consideration and held on the Clerk's desk pending approval by local delegation.

**House Bill No. 1449 -- Putnam County --** Passed second consideration and held on the Clerk's desk pending approval by local delegation.

**House Bill No. 1450 -- Unicoi County --** Passed second consideration and held on the Clerk's desk pending approval by local delegation.

**\*House Bill No. 1451 -- Planning, Public --** Passed second consideration and referred to the State and Local Government Committee.

**MESSAGE FROM THE SENATE**

**March 13, 1989**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 1191; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**Senate Bill No. 1191 -- Motor Vehicles --** Allows for suspension of driver's license under certain circumstances; extends period for return of funds received for violations. Amends TCA 55-7-206, 55-10-502, 55-50-604.

**MESSAGE FROM THE GOVERNOR**

**March 13, 1989**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bill(s) No(s). 906, with his approval.

**DAVID H. WELLES,**  
Counsel to the Governor.

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**SIGNED**

**March 13, 1989**

The Speaker announced that he had signed the following: House Bill(s) No(s). 22 and 58; and House Joint Resolution(s) No(s). 128, 130 and 139.

**ENGROSSED BILLS**

**March 13, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 253; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 13, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 190; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 13, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 457; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 13, 1989**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 260, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.



**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

**ENGROSSED BILLS  
March 13, 1989**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 337, 567, 612, 637, 734, 934, 1442, 1443, 1444, 1445 and 1446; and House Joint Resolution(s) No(s). 144 and 145; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,  
Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE  
March 13, 1989**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 23 and 678; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MESSAGE FROM THE SENATE  
March 13, 1989**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 134, 135, 136, 137 and 138; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES  
March 13, 1989**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1079, 1448 and 1449.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
March 13, 1989**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday,

**MONDAY, MARCH 13, 1989 -- NINETEENTH LEGISLATIVE DAY**

March 15, 1989: House Joint Resolution(s) No(s). 146 and 148; House Bill(s) No(s). 1079, 1448 and 1449; and Senate Joint Resolution(s) No(s). 104.

PHILLIPS, Chairman.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, March 15, 1989.